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7 SECURITIES AND EXCHANGE
8 COMMISSION,
9 Plaintiff,
10 v.
11 PAYWARD, INC., et al.,
12 Defendants.

Case No. [23-cv-06003-WHO](#)

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28 **CASE MANAGEMENT CONFERENCE
ORDER**

IT IS HEREBY ORDERED that, pursuant to Fed.R.Civ.P. 16(b) and Civil L. R. 16-10, a Case Management Conference will be held in this case before the Honorable William H. Orrick on February 20, 2024 at 2:00 P.M. via Zoom Webinar. This conference shall be attended by lead trial counsel for parties who are represented. Parties who are proceeding without counsel must appear personally.

1. Case Management Conference Requirements

a. Plaintiffs shall serve copies of this Order at once on all parties to this action, and on any parties subsequently joined, in accordance with the provisions of Fed.R.Civ.P. 4 and 5. Following service, plaintiffs shall file a certificate of service with the Clerk of this Court.

b. Counsel are directed to confer in advance of the Case Management Conference. Not less than seven days before the conference, counsel shall file a joint case management statement in compliance with the Civil Local Rules and the Standing Order for All Judges of the Northern District of California. Failure to file a joint

1 statement shall be accompanied by a signed declaration setting forth the grounds
2 for such failure. Failure to show good cause for such failure may subject the parties
3 to sanctions.

4 c. Each party shall be represented at the Case Management Conference by counsel
5 with authority to commit to determinations on all matters referred to in the
6 aforementioned Standing Order, Civil Local Rules, and Joint Case Management
7 Statement.

8 d. Any request to reschedule the above date should be made in writing, and by
9 stipulation, if possible, not less than ten days before the conference date. Good
10 cause must be shown.

11 e. At the initial Case Management Conference, the parties should be prepared to set
12 the dates for trial, pretrial conference, last day for hearing dispositive motions,
13 cutoffs for expert and fact discovery, and the designation of experts. The parties
14 should also be ready to discuss ADR.

15 **2. Notice to Unrepresented (Pro Se) Parties in Non-Prisoner Cases**

16 a. Parties representing themselves should visit the link titled “If You Don’t Have a
17 Lawyer” on the Court’s homepage, www.cand.uscourts.gov. The link discusses the
18 Court’s “Legal Help Center” for unrepresented parties. In San Francisco, the Legal
19 Help Center is located on the 15th Floor, Room 2796, of the courthouse at 450
20 Golden Gate Avenue. In Oakland, the Legal Help Center is located on the 4th
21 Floor, Room 470S, of the courthouse at 1301 Clay Street. To make an appointment
22 for San Francisco or Oakland, call 415-782-8982.

23 b. If you are representing yourself and you have not been granted leave to proceed *in*
24 *forma pauperis* (IFP) by the Court, you must comply with the service requirements of
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United States District Court
Northern District of California

1 Rule 4 of the Federal Rules of Civil Procedure, as set forth below. Failure to follow the
2 procedures may result, under Rule 4(m), in dismissal of your case:

3 (i) It is your responsibility to obtain a valid summons from the clerk and to effect
4 service of the summons and complaint on all defendants in accordance with
5 Rule 4 of the Federal Rules of Civil Procedure. If you have named the United
6 States government, a federal agency, a federal official or a federal employee as
7 a defendant, you must comply with the special requirements of Rule 4(i).

8 (ii) Service may be affected by any person who is not a party and who is at least 18
9 years of age, which means that you, as a party, may not affect service. If
10 service of the summons and complaint is not made upon a defendant within 90
11 days after the filing of the complaint, your action will, under Rule 4(m), be
12 dismissed as to that defendant.

13 (iii) Within 95 days after the filing of the complaint, you must file proof of service
14 indicating which defendants were served within the 90 days allowed under
15 Rule 4(m) and showing, in accordance with Rule 4(i), how each of those
16 defendants was served (for example, by attaching appropriate certificates of
17 service). You must also show cause why a defendant not served within the 90
18 days allowed under Rule 4(m) should not be dismissed without prejudice.

19 (iv) Failure to do these things within the designated time will result in the dismissal
20 of your case under Rule 4(m) and Rule 41(b).

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22 Dated: December 8, 2023



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24 WILLIAM H. ORRICK
25 United States District Judge
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